

PATENT APPLN. NO. 10/679,451
RESPONSE UNDER 37 C.F.R. §1.111

**PATENT
NON-FINAL**

IN THE CLAIMS:

1. (currently amended) A ~~3-cephem derivative crystal~~ which ~~is a~~ clathrate compound comprising p-methoxybenzyl ester of 7-phenylacetamide-3-formyl-3-cephem-4-carboxylic acid and dimethylformamide in crystalline form.

2. (currently amended) A ~~3-cephem derivative crystal~~ clathrate compound as defined in claim 1 which has peaks at the following spacing of lattice planes (d) in the X-ray powder diffraction pattern obtained under copper radiation of 1.5418 angstrom in wavelength passed through a monochromator:

spacing of lattice planes (d)

10.87 to 11.71

8.42 to 9.30

6.35 to 6.79

5.64 to 6.24

4.67 to 4.87

4.49 to 4.60

4.38 to 4.48

4.09 to 4.18

3.92 to 3.99

3.83 to 3.91

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3.63 to 3.71

3.33 to 3.36 .

3. (canceled)